

before we leave on February 14. It is a target date which all of us understand is very serious because we are facing economic circumstances we have not seen in this country in over 75 years. I want to make sure we do this and do it quickly; that we act boldly and swiftly, and at the end of the day we create the jobs that are needed in this country, we cut taxes for working families so they will have more resources to cope with the expenses they face, and we invest in long-term investments that pay off and stabilize our economy. We are talking about roads and bridges and airports and schools, and we need transparency and accountability when it comes to this recovery program.

Madam President, I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WARNER). Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask for the yeas and nays on the nomination.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Timothy F. Geithner, of New York, to be Secretary of the Treasury?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Missouri (Mr. BOND).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 60, nays 34, as follows:

[Rollcall Vote No. 15 Ex.]

#### YEAS—60

Akaka	Feinstein	Mikulski
Baucus	Graham	Murray
Bayh	Gregg	Nelson (FL)
Begich	Hagan	Nelson (NE)
Bennet	Hatch	Pryor
Bingaman	Inouye	Reed
Boxer	Johnson	Reid
Burris	Kaufman	Rockefeller
Cantwell	Kerry	Schumer
Cardin	Klobuchar	Shaheen
Carper	Kohl	Shelby
Casey	Landrieu	Snowe
Conrad	Lautenberg	Stabenow
Corker	Leahy	Tester
Cornyn	Levin	Udall (CO)
Crapo	Lieberman	Udall (NM)
Dodd	Lincoln	Voinovich
Dorgan	McCaskill	Warner
Durbin	Menendez	Webb
Ensign	Merkley	Whitehouse

#### NAYS—34

Alexander	Bennett	Bunning
Barrasso	Brownback	Burr

Byrd	Hutchison	Risch
Chambliss	Inhofe	Roberts
Coburn	Isakson	Sanders
Cochran	Johanns	Sessions
Collins	Kyl	Specter
DeMint	Lugar	Thune
Enzi	Martinez	Vitter
Feingold	McCain	Wicker
Grassley	McConnell	
Harkin	Murkowski	

#### NOT VOTING—4

Bond	Kennedy
Brown	Wyden

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid on the table.

The President shall be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

#### CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2009

The PRESIDING OFFICER. The Senate will now proceed to the consideration of H.R. 2, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2) to amend title XXI of the Social Security Act to extend and improve the Children's Health Insurance Program, and for other purposes.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that the consideration of H.R. 2 be for debate only during today's session. There will be no amendments in order tonight.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAUCUS. The author Lois McMaster Bujold wrote:

Children might or might not be a blessing, but to create them and then fail them was surely damnation.

Before 1997, we largely failed the children of the working poor. The Children's Health Insurance Program changed that. For millions of working families, the Children's Health Insurance Program has truly been a blessing.

Before 1997, kids of the working poor had nowhere to go to get health insurance—nowhere. Their parents' employers did not offer health insurance benefits, and the individual market offered only low-quality insurance options at unaffordable prices. Without health insurance, kids could not see the doctor for a checkup, they could not get a prescription for an earache, and they

could not get treatment for common chronic conditions such as asthma. Unhealthy kids cannot run and play, they cannot do well in school, and they cannot grow into healthy and productive adults.

In 1997, Congress took action to address this problem. We established the Children's Health Insurance Program. Today, we finally move forward to keep the program going. The Children's Health Insurance Program has bipartisan roots, and it has achieved what we created it to do; namely, it covers low-income, uninsured kids.

Congress enacted the Children's Health Insurance Program as a bipartisan compromise. Members of Congress wanted to address the rising number of children without health insurance, and Senator ROCKEFELLER, Senator HATCH, Senator KENNEDY, and the late Senator John Chafee led the way. I am proud to have helped write and pass the Children's Health Insurance Program 12 years ago. It has been a tremendous success.

The Finance Committee reached a compromise that allowed States to set up children's health insurance programs that would meet their unique needs. States can choose whether they want to participate in the program. Within 2 years of CHIP's creation, every State decided to participate. It was a no-brainer. Every State wanted to address the health care needs of our most vulnerable children.

In its first decade, CHIP cut the number of uninsured children by more than one-third. Today, because of CHIP, nearly 7 million children get the doctors visits and medicines they need. Those healthier childhoods will enable those 7 million kids to become healthy, productive adults.

Health insurance is important. It is more than important; it is critical. Children with health coverage are more likely to get the health care they need, when they need it. Because of CHIP, 7 million kids have regular checkups, see doctors when they get sick, and get the prescription medications they need.

The task before us is to reauthorize this important program. Many will recall that we started this process back in the year 2007.

Congress worked hard, very hard to pass a bipartisan reauthorization package. I can tell my colleagues, Senators HATCH, ROCKEFELLER and myself and Senator GRASSLEY worked hours on end. I cannot tell you the number of hours we met and how hard it was, but we worked together and got that compromise. We got it passed on the floor, passed the House. But President Bush vetoed it twice. Times have changed. President Obama is looking forward to signing the Children's Health Insurance Program bill, and Congress is prepared to act.

Americans overwhelmingly support covering kids. The bill before us today will keep coverage for all children currently in the program, and we will start to reach more than 4 million additional uninsured, low-income kids. In

drafting this legislation, we relied heavily on the two vetoed bills. We keep CHIP focused on kids. That is the focus. Childless adults whom CHIP covers today will transition out of the program. This is focused on kids. This bill will not allow new waivers for CHIP coverage of childless adults. Low-income parents whom CHIP covers today will ultimately transition out of CHIP to Medicaid, with its lower match rate. This bill precludes new waivers for coverage of parents in CHIP. We cover low-income kids first. We agree that low-income kids are our first priority, but we do not limit State flexibility in designing CHIP programs. States choosing to cover kids above 300 percent of poverty will receive the lower Medicaid match for those kids. If they want to do so, they can, but they will get the lower match rate. We also included bonuses for States that meet enrollment targets for kids in Medicaid. Nearly three-quarters of uninsured kids are eligible for either Medicaid or CHIP but have not enrolled. We encourage States to improve their outreach practices to streamline enrollment procedures to keep them enrolled. We maintain State flexibility. We have given States the option to cover legal immigrant children and pregnant women during their first 5 years in the United States. States can decide whether they want to cover those children. Currently, Federal law prevents States from covering legal immigrants on Medicaid or CHIP until they have been in the country for 5 years. But some States have found this provision to be too restrictive. Those States have chosen to use their own money to meet the needs of their residents.

In 2008, for example, 18 States chose to cover legal immigrant children, and 23 States chose to cover legal immigrant pregnant women, rather than deny them the health care they need for 5 years. The Federal Government should not penalize States for trying to help needy populations who are here legally. This bill would allow States the option to cover legal immigrant children and pregnant women in Medicaid or CHIP and receive the appropriate Federal match.

More broadly, we have also created a State option that allows States to designate CHIP funds to offer premium assistance. Premium assistance can help families to afford private coverage offered by employers or other sources. We improve the quality of children's health insurance. Discussions about health insurance often get bogged down in talk about cost and coverage but we ignore quality. Discussions about quality often ignore the unique needs of children. Our CHIP bill launches a substantially new initiative to improve children's health quality. This initiative will invest \$45 million a year for 5 years to develop national core measures for children's health quality, improve data collection in CHIP and Medicaid, and promote the use of electronic records. These efforts will help

to improve the quality of care available in CHIP and Medicaid.

We pay for what we do. Like the vetoed bills, this legislation will increase the Federal tax on a pack of cigarettes by 61 cents. We also make proportional increases for other tobacco products. Increasing the cigarette tax will discourage smoking, particularly among teens, and that will be good for kids as well.

The bill we are considering today is a good bill. In putting together the Finance Committee's bill, we worked to cover as many low-income, uninsured kids as possible. We respected our budgetary limits, and we made compromises in good faith with our Republican colleagues. In committee, we made further compromises which I hope have strengthened this bill even more. I prefer to be standing here today with all my colleagues beside me, especially my good friends, Senators GRASSLEY and HATCH. But we could not agree on everything. I hope the remaining disagreements do not prevent Senators from doing the right thing. Let us not fail the children of the working poor. Let us get these kids to doctors visits and medications they need, and let us continue the blessing that is the Children's Health Insurance Program.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROCKEFELLER. Mr. President, following along on the lines of the distinguished chairman of the Finance Committee, it has been a very long journey to reach this day. A year and a half ago both Houses of Congress passed two CHIP reauthorization bills with overwhelmingly bipartisan support. As I recall, the numbers were somewhere around 69 in the Senate on each bill. These two bills would have given 4 million more uninsured children a healthy start in life. For those of us in Appalachia and for those who live almost anywhere in the country, there are parts of their inner cities and rural areas where this is absolutely crucial.

No one was more disappointed or, frankly, angry than I was when our bipartisan legislation was twice vetoed by President Bush. I could not understand it. I didn't know what the reason was. But my anger toward that pales in comparison to the heartache and the anguish felt by the millions of children and families who would have directly benefited from this legislation had it passed in either of its forms. But it did not.

So today we are here once again to debate providing health coverage to 4 million uninsured children. But this

time there is a big difference. President Bush no longer stands in the way of providing health care to children. President Obama decided, very early in his campaign, this is something he cared about. This time victory for children is guaranteed. All we to have do is pass it. We should all be extremely excited that this bill will finally be signed into law, and more than 11 million children will be enrolled in CHIP each year.

Unfortunately, some of my colleagues are less than thrilled about the bill before us. I want to put the 11 million children in context. People say there are anywhere from 42 to 48 million uninsured Americans. If we do our job, about a quarter of our uninsured will disappear and will be insured. So this is a monumental task on which we are, in fact, proceeding. Some of my colleagues have tried to raise suspicion and doubt about our intentions on this most recent CHIP bill. I regret that. I want my colleagues to know there is no reason for suspicion or doubt on any account. It was called by some "political." I will explain that in a moment and why it is a fallacious argument and should be understood by my colleagues as that. Our intentions are exactly the same as they were in 2007—to make sure that children in America have the health care they need and deserve.

I remember this very well, as the Presiding Officer knows, from my early days in West Virginia when I was working in coalfields of southern West Virginia where no children had any health care insurance. The legislation we are considering this week is virtually identical to the second and to the more conservative CHIP bill that we passed in the fall of 2007. However, this legislation also reflects the fact that our country is not in the same economic situation as was the case at that time. Working families at all income levels are hurting because of the economy. This bill gives the States additional Federal funding and the flexibility to cover children in need.

One important and necessary change in the legislation before us gives the States the option to eliminate the 5-year waiting period that prevents legal immigrant children and legal immigrant pregnant women from getting timely health care. Allow me to repeat myself. This legislation gives States the option to eliminate the 5-year waiting period for legal immigrants. It is not, therefore, a requirement. It also does not provide health care for illegal immigrants or their children. Anyone who says differently is incorrect. Thence rises the argument that this is playing politics, as if God had some kind of a different view about children who are here and have been here for a number of years and are trying to live out their life as best they can but they have no health insurance. What is it? Where is it written that these are not children to the equal of yours or mine? It is not written, because it is not so. All of us are equal.

In fact, our legislation has language specifically prohibiting Medicaid and CHIP coverage for illegal immigrants. I could take it out of the bill and read it to you, but that would be unnecessary.

There is no acceptable reason for this 5-year waiting period to remain in place. All lawfully present children should have timely access to health care in the United States. We are doing our best to achieve that and will achieve that through this bill. Five years later, if we kept on that requirement, is a lifetime for young children who may have bad teeth or early cases of cancer or any other life-threatening illness or disability, to make them wait 5 years because we don't think maybe they measure up. They measure up. They are kids. They are children. That is what we are fighting for.

Those who oppose removing this arbitrary waiting period will come to the floor and offer all sorts of unrelated arguments about immigration. This is not about immigration. It is about health care for kids who need it, something that a lot of us have been fighting for since the mid-1990s. These arguments are nothing more than a smokescreen. The bottom line is that both U.S. citizen children and children in this country legally should have timely access to health care, period. This legislation covers both those objectives.

In closing, I hope we will have the same bipartisan commitment in passing this legislation as we did in 2007. Those who look upon one amendment, which is highly moral, highly deserved and entirely right, will pass it with the same margins we did in 2007. Four million children are waiting for us to finish the task at hand.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## MORNING BUSINESS

### SPADE-READY PROJECTS

Mr. INHOFE. Mr. President, we have some things that are going to happen this year that are very significant. In the committee I chaired when the Republicans were in the majority—it is now chaired by Senator BOXER—we have two major pieces of legislation coming up.

We have the Transportation reauthorization bill and we have the Water Resources Development Act reauthorization bill. In the case of the Transportation reauthorization bill, we had a good reauthorization in 2005. It is scheduled to be reauthorized again, and I would suggest we use that as somewhat of a pattern of what we are going

to plan to go in this coming year, in 2009.

In spite of all of the things you are hearing about the inauguration and about the various confirmations, business is going to continue. The WRDA bill, the Water Resources Development Act, is something that should be done on an annual basis or every other year. Yet the last time we passed it was 7 whole years ago. We had a lot of making up to do. There is not one State represented on this floor that is not way behind in some of the programs that are dealt with in the Water Resources Development Act.

The reason I mention this at this time is we will be dealing with some type of a stimulus bill. When they talk about \$800 or so billion, I already, in my previous remarks, talked about how big \$700 or \$800 billion is to individual families in America.

We will be dealing with this, and I regret that of the \$800 billion, only \$30 billion has to do with highway construction. We have a great need in this country for bridge construction, highway construction, and, hopefully—Senator BOXER and I both cosigned a letter to try to get a much larger percentage of whatever amount we end up authorizing in a stimulus bill.

So I would hope—and I would ask each Member to look at their own States, as I have done in my State of Oklahoma—Senators look at State projects that are out there that we call spade-ready: they have had their environmental impact statement, they have had their AS statements, and they are ready to go. They would employ people immediately. For those like me who are conservative, who do not believe the ingredients in this stimulus package, or at least do not believe what they are looking at in the House is going to really stimulate very much, one thing we do know is that there is nothing that puts people back to work faster than to get something that has already passed all of the environmental prerequisites and is ready for construction to start. Then, after it is over, you have something. You have bridges that are rebuilt. You have roads that are rebuilt.

So what I would encourage the Senate to try to do is get as much as we can out of the stimulus package that actually does provide jobs and provides things that otherwise we would have to do in the reauthorization bill.

There is no way in the world we are going to take care of the real need we have with infrastructure in America unless we get a very large amount in the front end of the stimulus bill.

### CELEBRATING THE CHINESE NEW YEAR

Mr. REID. Mr. President, I rise today to join with the millions of Asian Americans around the country in celebration of Chinese New Year. Last year, I was pleased to introduce a resolution honoring the historical and cul-

tural significance of this holiday, and today, I am equally delighted to recognize all those welcoming in the Year of the Ox.

The festivities surrounding the Chinese New Year are steeped in rich cultural tradition. The 15-day-long celebrations marks one of the most important times for Chinese Americans and Asian Americans from many backgrounds and ethnicities to gather together with family and friends. Mouth-watering aromas will fill their homes as families sit down to New Year's Eve meals, and children will eagerly await receiving lucky red money envelopes. Many will watch or participate in vibrantly colored dragon dances, a symbol of prosperity and good fortune.

In our State of Nevada, the festivities held in Las Vegas, in particular, draw thousands of visitors, where many of the city's hotels feature spectacular decorations, dragon dances, and restaurants serving traditional dishes. And all across our great State, families will flock to community festivals featuring dances, crafts, food, and fireworks—the sights, sounds, and smells that make Chinese New Year such a jubilant celebration.

This year marks the 4706th year in the Chinese calendar, based on the lunar cycles. As it unfolds, I hope those observing Chinese New Year will enjoy this special time to honor traditions, spend time with their families, and eagerly anticipate what blessings the Year of the Ox may bring. To the thousands of Chinese American Nevadans and many others celebrating today, I send my best wishes for a joyous celebration and a prosperous New Year.

### TRIBUTE TO DR. HAROLD C. RELYEA

Mr. BYRD. Mr. President, on January 30, 2009, after more than 37 years of service at the Library of Congress, Dr. Harold C. Relyea will retire as a specialist in American National Government at the Congressional Research Service, CRS. His service and devotion to the U.S. Congress will be greatly missed.

President Thomas Jefferson once observed that “information is the currency of democracy.” He also noted that “whenever the people are well-informed, they can be trusted with their own government.” Thanks to the fine work of Dr. Relyea and his colleagues at the Congressional Research Service, the people's representatives in Congress are well-informed—and, thus, well-armed—to preserve and defend the ideals, structure, and balance of our government as envisioned by our Founding Fathers.

As Senators and staff come and go, the best CRS specialists become repositories of institutional knowledge, deep wells of experience who offer perspective and thoughtful analysis. Such specialists tend to take a long view on issues, having seen issues and trends emerge and reemerge in varying forms.